

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CROSSROADS SYSTEMS, INC.,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Case No. 1:14-cv-00148-SS

**DEFENDANT CISCO SYSTEMS, INC.'S NOTICE REGARDING *INTER PARTES*
REVIEW PROCEEDINGS FOR U.S. PATENT NOS. 6,425,035, 7,934,041, AND 7,051,147**

Defendant Cisco Systems, Inc. (“Cisco”) hereby provides notice to the Court and the Special Master of petitions for *inter partes* review filed with the United States Patent & Trademark Office (“PTO”) by Cisco and Quantum Corporation regarding the patents-at-issue in this case, namely U.S. Patent Nos. 6,425,035, 7,051,147, and 7,934,041 (collectively, the “Patents-in-Suit”). *See* Exs. A-C. The petitions challenge the validity of the claims of the Patents-in-Suit and ask the PTO to cancel these claims.

The PTO will render a decision instituting review on the earliest filed petition no later than January 31, 2015. Cisco intends to move for a stay of this action pending the PTO’s review of the Patents-in-Suit once the PTO institutes the *inter partes* review. *See Click-to-Call Technologies LP v. Oracle Corporation et al.*, C.A. No. 1:12-cv-468-SS, Dkt. 159 (Nov. 26, 2013) (granting motion to stay explaining “once the PTAB has determined a challenger is likely to succeed in invalidating all asserted claims of the patent-in-suit and has instituted inter partes review, staying the case to await the PTAB’s final decision is the preferable route.”); *see also National Oilwell Varco L.P. v. Omron Oilfield & Marine, Inc.*, C.A. No. 1:12-cv-773-SS, Dkt. 42 (Jun. 10, 2013) (denying motion to stay noting PTAB had not granted inter partes review but explaining that the Court would consider a renewed motion to stay if the PTAB should do so).

Cisco will provide further notice to the Court at that time.

Dated: October 10, 2014

Respectfully submitted,

By: /s/ Patrick S. Salceda
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CERTIFICATE OF SERVICE

I, Patrick S. Salceda, hereby certify that on October 10, 2014 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

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